

Testimony of Andrew A. Feinstein
Special Education Equity for Kids in Connecticut
Committee on Education
March 21, 2022

Chairman McCrory, Chairman Sanchez, Senator Berthel, Representative McCarty, and members of the Committee.

My name is Andrew Feinstein, and I am the Legislative Chair of Special Education Equity for Kids in Connecticut (SEEK), a statewide organization of parents, providers, attorneys and advocates working for excellent education for students with disabilities.

The Committee has 12 bills on its agenda today. SEEK has comments on virtually all of them. Let me address them in one by one.

S.B.1 contains parallel provisions to the ones in H.B. 5465 and H.B. 5322, so I will discuss those bills as a part of discussing S.B.1, the major children's mental health bill. I want to make seven points:

1. The census of school social workers and psychologists is fine, but it misses the point. Far more important than the number of school psychologists is having school psychologists provide support and counseling to students in need. For the most part, school psychologists spend the vast majority of their time conducting evaluations and have little time to provide the mental health support that so many school children need. A solution is to task the Regional Educational Service Centers (RESCs) with conducting comprehensive evaluations on a reimbursable basis for schools. Doing so would lead to an improvement and regularization in quality of evaluations. It would also provide some level of independence, rather than having the evaluations done by district staff, who may be under pressure special education numbers low. Most importantly, making this change would free up school psychologists to do what they are most needed for: working with kids with needs.

2. Increasing the staffing of mental health professionals in schools is a step in the right direction, but what is really needed is a Multi-Tiered System of Supports (MTSS) in every school in the state. A MTSS is a continuum of social, emotional, behavioral, and mental health resources integrated into the school program. Such a MTSS would include teachers trained to recognize and refer students in need. It would include the entire school staff, including SROs, trained in de-escalation. It would include school nurses, mentors and mental health professionals who could intervene when students show signs of distress. And, most importantly, it would be embedded in the idea that it the responsibility of the school to work with and develop all students and not resort to exclusion as a way to deal with concerning behavior. Some schools already have strong MTSS in place. Most do not. What we recommend is that legislation be passed directing CSDE to establish minimum standards for such a system of supports for schools within six months of passage, conducting a program of self-assessment by schools as to their meeting the minimum standards over the next six months, providing grant money for CSDE to direct to schools in most need of resources to reach the minimum standards, and directing CSDE to report what is needed on a school-by-school basis and the funds needed to reach that level by January 1, 2024.

3. We think the human services permit is an interesting idea but is far too limited in scope to be effective. We can augment in-school mental health staff in a variety of ways. We need to build new bridges with community based mental health providers. We need to train and bring into school mentors, from the community, who look like and come from similar backgrounds as the students in the school. We need to bring in counselors who have lesser training than certified school psychologists. Rather than making such permits time-limited, we should commit ourselves to creating this sort of workforce on a continuing basis.

4. SEEK fully supports the idea of minority teacher scholarships. Effective education for Black and Brown students depends to a considerable extent on having teachers who look like the students. That said, we recommend a ROTC-type minority scholarship program. Such a program would involve recruiting high school juniors to a career of education. Then, the State would pay for their undergraduate education and certification as teachers in exchange for a service commitment of five years. Such a program would involve education and support for the ten-year period that the participant would be in the program. We would create a corps of well-trained, and highly motivated teachers of color for the future of education.

5. SEEK is enthusiastically supportive of the Ableism Task Force. We fail to treat students with disabilities as valuable members of society. We focus on their deficits, not on the strengths. Instead, we need to amplify their strengths, their abilities, their unique perspectives on the world to create a stronger society. The Task Force can broadcast this message and begin to change the self-destructive paradigm under which we now operate.

6. S.B. 1, as well as H.B. 5465, addresses the serious shortfalls in the early childhood and preschool readiness programs. About 20% of children eligible for Birth to Three services do not transition to an IEP at age three. Those children, who have some disabilities, are provided with no services for two of the most critical years of their lives. At the very least, if local school readiness councils are created, as provided in section 12 of H.B. 5465, the law should require that parents of students with disabilities, or their representatives, are put on each such council.

H.B. 5038 is the Governor's Budget Bill, but it contains numerous provisions dealing with the newly independent Technical Education and Career System (TECS). Connecticut's vocational and technical high schools have a long history of discriminating against students with disabilities, both in admittance and in retention. Last session, the Legislature stripped these high

schools of the legal authority to so discriminate. So, section 10 of H.B. 5038 needs to be amended to state that the TECS will provide the programming, services, and accommodations needed for students with disabilities to succeed in the program of the high school. And the board for the TECS, created in section 20, needs to include a representative of students with disabilities to ensure that the new TECS system does not revert to the discriminatory practices of the past.

H.B. 5321 implements the recommendations of the School Paraeducator Advisory Council. Paraprofessionals are at the very core of the special education system of the state. A good paraprofessional can empower a student to great success while a weak or poorly trained paraprofessional can hold a student back. SEEK endorses the training requirements in the bill and fully supports the participation of paraeducators at PPT meetings. The working group created in section 5 of the bill needs to include a representative of SEEK or another organization representing the interests of students with disabilities.

SEEK is proud to serve on the working group established in H.B. 5323. The mandate of the working group should be expanded to look at ways to make professional development and in-service training more effective. Too often professional training days are used by teachers to catch up on their classroom work while sitting in lectures and absorbing little of the content. There is much that needs to be part of professional development, especially training in the science of reading and training in de-escalation and restorative practices. Moreover, young teachers need strong mentors, both to learn the art of being a master teacher and to become a full member of the teacher community within the school.

S.B. 428 relates to school construction process, something that sorely needs rebuilding. School construction is, by law, compliant with the accessibility provisions of the Americans with Disabilities Act. Still, the physical structure of a school can foster inclusion of students with

disabilities or can hinder inclusion. Indeed, how a school is designed can be an enormous boost to implementing a Universal Design for Learning (UDL). For that reason, the School Projects Advisory Council needs to have among its members an advocate for students with disabilities as well as an expert in UDL.

Finally, H.B. 5466 contains a number of initiatives. Section 1 tasks CSDE with conducting a feasibility study about creating a recovery high school. SEEK is concerned about the relationship of such a high school to the Individuals with Disabilities Education Act. Students with substance abuse are frequently students with underlying disabilities for which substance use is a form of self-medication. We would not support the creation of a self-contained high school, depriving the student with disability of the opportunity to engage with typical peers.

Section 3 updates the membership of the State Board of Education. There is no one on the Board now who speaks for students with disabilities, yet the State Board deals with special education issues all the time. It is time to ensure that at least one member of the State Board of Education advocates for the rights of and excellent education of students with disabilities.

Section 5 reestablishes the task force on the provision and funding of special education. This task force was authorized in the last legislative session, but never formed. There is a great deal of work to do in this area. Let's get it going now.

SEEK values the opportunity to work with this committee. We are ready and willing to meet any needs the committee may have.